SIMTEK6598

IN THE UNITED STATES PATENT OFFICE

In re Application of

Kunio Miyazaki

Tomoyuki Kawano

Kazuya Tokunaga

Ichiro Ikenaga

App. No.:

10/709217

Filed:

April 22, 2004

Conf. No.:

3216

Title:

CONTROL METHOD FOR

MOVING RACKS

Examiner:

D. Pihulic

Art Unit:

3662

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SECOND FOLLOW UP ON REQUEST FOR REINSTATEMENT

Dear Sir:

This is to follow up on my unanswered request filed May 5, 2008 that was submitted in response to the Notice Of Abandonment, mailed April 22, 2008. That notice stated that the Issue and Publication Fees were not timely paid. It is correct that the payment was made within one month after the due date. However the transmittal was made along with a request for a one month extension and the fee for that extension was indicated as paid in the Electronic Acknowledgment Receipt issued at the time. The total payment made was \$1860 that includes both the Issue and Publication Fees as well as the fee for the requested one month extension.

A first follow up on that request was made on June 5, 2008 and that has not been answered. Please advise now when this case will be reinstated and also the added term applied for the patent, if any.

Respectfully submitted:

Ernest A. Beutler Reg. No. 19901

Phone (949) 721-1182
Pacific Time